

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EVERT CALDWELL,
Plaintiff,
vs.
COMPASS ENTERTAINMENT GROUP, LLC,
et al.,
Defendants.)
Case No. 2:12-cv-000458-KJD-GWF
ORDER
Motion to Extend Time to Serve (#26)
Motion for Service by
Publication (#27)

This matter comes before the Court on Plaintiff's Motion to Extend the Time for Service (#26) and to Allow for Service by Publication (#27), filed on July 31, 2012; Defendant Compass Entertainment Group's Response (#28), filed on August 1, 2012; and Plaintiff's Reply (#29), filed on August 2, 2012. The Court conducted a hearing on this motion on August 27, 2012. The Court grants in part and denies in part as follows:

1. Plaintiff's Motion to Extend the Time for Service (#26) on Defendants Thomas A. McDonald, Suzanne M. Labelle, Gregory T. McDonald, Gregory J. McDonald is **granted**. Plaintiff shall have until **December 27, 2012** to perfect service on the above-listed Defendants.
2. Plaintiff's Motion to Extend Time for Service (#26) on Defendant Jeffrey Kranzdorf is **denied** without prejudice. If Defendant Kranzdorf's Motion to Dismiss or Quash Service of Process (#12) is granted, Plaintiff may then apply for additional time to serve Defendant Kranzdorf.

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3. Plaintiff's Motion to Allow Service by Publication (#27) on Defendant Gregory T. McDonald is **granted** as follows:

- a. Plaintiff shall publish the summons and complaint at least once a week for four (4) consecutive weeks in a newspaper of general circulation published in Las Vegas, Nevada;
 - b. Plaintiff shall publish the summons and complaint at least once a week for four (4) consecutive weeks in a newspaper of general circulation published in Orange County, Florida; and
 - c. Plaintiff shall also deposit a copy of the summons, complaint and this order in the post office, directed to Gregory T. McDonald at his last known place of residence.

4. Plaintiff's Motion for Service by Publication (#27) on Defendants Thomas A.

McDonald, Suzanne M. Labelle and Gregory J. McDonald is denied without prejudice. If after having made a good faith and diligent effort to serve the above-Defendants, including but not limited to hiring a private investigative service to ascertain their place of residence, Plaintiff is unable to serve the Defendants, Plaintiff may then re-apply for permission to serve the above-Defendants by publication.

IT IS SO ORDERED.

DATED this 27th day of August, 2012.

George Foley Jr.
GEORGE FOLEY, JR.
United States Magistrate Judge